THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE P. SWAROOP REDDY

TAKEN UP WRIT PETITION NO.20412 OF 2004

Date: 5.11.2007

Between:

Sri P.R. Subas Chandran, Journalist,
Erramanzil, Hyderabad. … Petitioner.

And

The Secretary to the Govt. of A.P.,
Women's Development, Child Welfare and
Disabled Welfare Department, Secretariat,
Hyderabad and another. …. Respondents.

ORAL ORDER: **(per A. Gopal Reddy, J)**

Letter dated 19.7.2004 addressed by Hon'ble Sri Justice Upendralal Waghray, Chairman, A.P. State Human Rights Committee to the Hon'ble the Chief Justice of this Court, enclosing the copies of letters addressed by him to the Chief Secretary to the Government, Government of Andhra Pradesh and the G.Os and the Memos sent by the Government regarding implementation of the Judgment of the Supreme Court in **VISAKHA vs. STATE OF RAJASTHAN**[1]**,** in respect of grievance made by Sri P.R. Subhas Chandran, Journalist, Hyderabad in his letter dated 1.7.2004 on the subject of sexual harassment of working women in various Departments of the State, was taken up as Writ Petition.

In response to the notices issued, the Secretary to Government, General Administration (Services) Department, filed a counter stating that pursuant to the directions of the Hon'ble Supreme Court issued in **Visakha v. State of Rajasthan,** the Women Development, Child Welfare and Disabled Welfare (Prog.) Department in G.O.Ms.No.27 dated 21.4.1999 issued orders adopting the guidelines contained in the judgment regarding sexual harassment of women employees working in various Departments of the State. The General Administration Department also issued necessary amendment to A.P. Civil Services (Conduct) Rules, 1964 incorporating Rule 3-C therein through G.O.Ms.No.322 General Administration (Services) Department dated 19.7.1999 regarding prohibition of sexual harassment of working women. To make a permanent mechanisim to

oversee the implementation of guidelines/instructions issued in G.O.Ms.No.27 dated 21.4.1999 and as per the advice of the Chairman of the A.P. State Human Rights Committee, the Government also issued orders in G.O.Ms.No.391 GAD (Services Welfare) Department dated 25.8.2005 nominating Home Department of A.P. Secretariat, Hyderabad as the **Nodal Agency** and directed all the Departments of Secretariat/Heads of Departments/District Collectors to furnish their Reports/Action Taken Reports on sexual Harassment of women employees in their respective offices/subordinate offices direct to Nodal Agency i.e. Home Department, A.P. Secretariat, Hyderabad. The Home Department was also further directed to prescribe necessary proforma for furnishing Reports/Action Taken Reports, which may be quarterly/Half Yearly/Annual depending upon the number of complaints received by A.P. State Human Rights Commission indicating that the complaints so received had been redressed and also requested to furnish a copy of the same to Women Development, Child Welfare and Disabled Welfare Department. Further, the Home Department was also requested to furnish a copy of the Report/Action Taken Report which in turn, was requested to see that the intention and spirit of the guidelines particularly the functioning of grievances/complaint redressal mechanism in various offices wherever women are employed, is implemented in true spirit. The Government also issued G.O.Rt.No.2127 dated 19.12.2006 constituting a cell for redressal of grievances of working women in the A.P. Secretariat consisting of six members headed by Smt. K. Aruna, IAS, Joint Secretary to Government as the Chairman of the said Committee.

The counter-affidavit further states that as pointed out by the

Hon'ble Chairman, A.P. State Human Rights Committee, several instructions were issued requesting all Departments of Secretariat/Heads of Departments and District Collectors to constitute a permanent Complaint Mechanism/Complaints committee headed by a Senior Woman Officer of which not less than half of its members should be women by involving a third party i.e. either N.G.O. (Non-Governmental Organization) or other body, who is familiar with the issue of sexual harassment of women employees in their working places. Government further requested all the departments to furnish the Reports/Action Taken Reports on the subject matter to the Nodal Agency.

From the above, it is clear that the Government has taken necessary steps for due implementation of the guidelines/instructions issued by the Hon'ble Supreme Court in **Visakha's** case. The Government amended A.P. Civil Services (Conduct) Rules 1964 duly incorporating Rule 3-C prohibiting sexual harassment of working women. Orders were also issued in G.O.Ms.No.391 GAD (Services Welfare.I) Department dated 25.8.2005 nominating the Home Department of A.P. Secretariat as the Nodal Agency and all the Departments of Secretariat/Heads of Departments/District Collectors were directed to furnish their Reports/Action Taken Reports on sexual harassment of women employees in their respective offices/subordinate offices to the Nodal Agency. Government issued orders constituting a Cell in the A.P. Secretariat for redressal of grievances of women working in the Secretariat. Orders were also issued for constituting permanent Complaint Mechanism/Complaints Committees headed by a Senior Woman Officer in all the Departments of the State with instructions to furnish Reports/Action Taken Reports on the subject to the Nodal Agency. In view of these

steps taken by the State Government for due implementation of the Judgment of the Supreme Court in **Visakha's** case, no further cause survives in the Writ Petition, which is accordingly dismissed. No costs.

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A. GOPAL REDDY, J

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5th November, 2007 **P. SWAROOP REDDY, J**

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[1] AIR 1997 SC 3011